

**MOORE COUNTY PLANNING BOARD
THURSDAY, JUNE 11, 2020 6:00 PM**

[WebEx.com](https://www.webex.com) and enter Meeting Number 129 892 2839 and Meeting Password 06112020. To connect by phone, call 1-408-418-9388 and enter Meeting Number 129 892 2839.

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

This meeting is a continuation of the regular scheduled Planning Board Meeting of June 4, 2020.

The following Public Hearings were recessed until June 11, 2020 for the Planning Board to make a decision.

I. PUBLIC HEARINGS:

- 1. Pete Mace is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End, owned by Johnny & Kathy Harris, per Deed Book 5095 Page 156 - Dervin Spell**
- 2. Robert Hayter is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80 - Dervin Spell**
- 3. Audio & Electronic Concepts, Inc. c/o Van Keller is requesting a General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road, owned by Audio & Electronic Concepts, Inc., per Deed Book 1659 Page 23 – Debra Ensminger**

II. BOARD COMMENT PERIOD - Chairman

III. UPCOMING EVENTS:

- Tuesday, June 16, 2020 10:30 AM Board of Commissioners Meeting to be held via WebEx
- **Thursday, July 2, 2020 6:00PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, July 21, 2020 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

III. ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **given** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MEMORANDUM TO THE PLANNING BOARD

FROM: Theresa Thompson
Planning Supervisor

DATE: April 20, 2020

SUBJECT: General Use Rezoning Request:
Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) –
Love Grove Church Road

PRESENTER: Dervin Spell

REQUEST

Pete Mace is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End, owned by Johnny & Kathy Harris, per Deed Book 5095 Page 156.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

BACKGROUND

The property is currently undeveloped. Adjacent properties include single family dwellings and undeveloped property.

ZONING DISTRICT COMPATIBILITY

The requested rezoning to Residential and Agricultural-20 (RA-20) is consistent with the existing uses located near the property, including single family residential. The surrounding area is zoned a mixture of Residential and Agricultural-20 (RA-20), Residential and Agricultural-40 (RA-40), and Residential and Agricultural-5 (RA-5).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

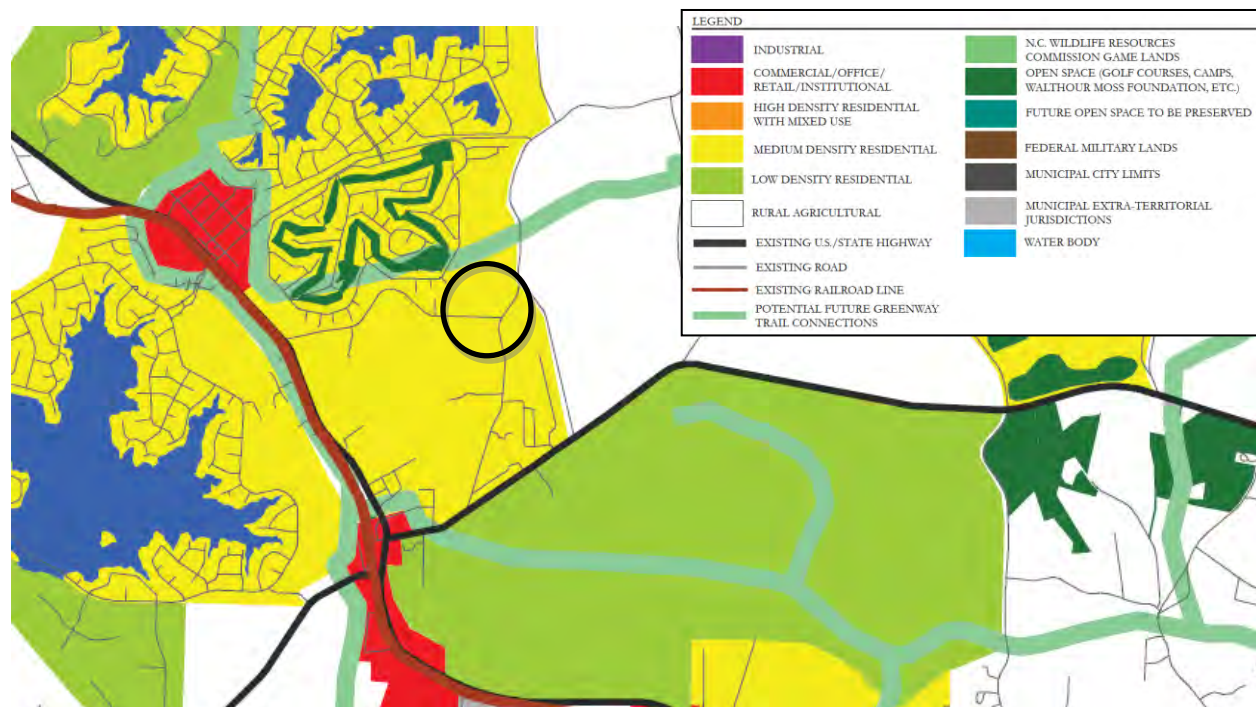
The future land use map identifies the property as Medium Density Residential Land Use Classification. The requested zoning to Residential and Agricultural-20 (RA-20) is compatible with the Medium Density Residential Land Use Classification.

The Land Use Plan states the primary use of the Medium Density Residential Land Use Classification is a density 2 (two) to 4 (four) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure

and facilities such as roads, water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

MOORE COUNTY FUTURE LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached **Approval or Denial** Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend **Approval or Denial** to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- Deed Book 5095 Page 156

View of subject property from the intersection of Love Grove Church Rd and Carthage Rd



Love Grove Church Road



View of property across Carthage Road



View of Carthage Road going southbound



187 Love Grove Church Road



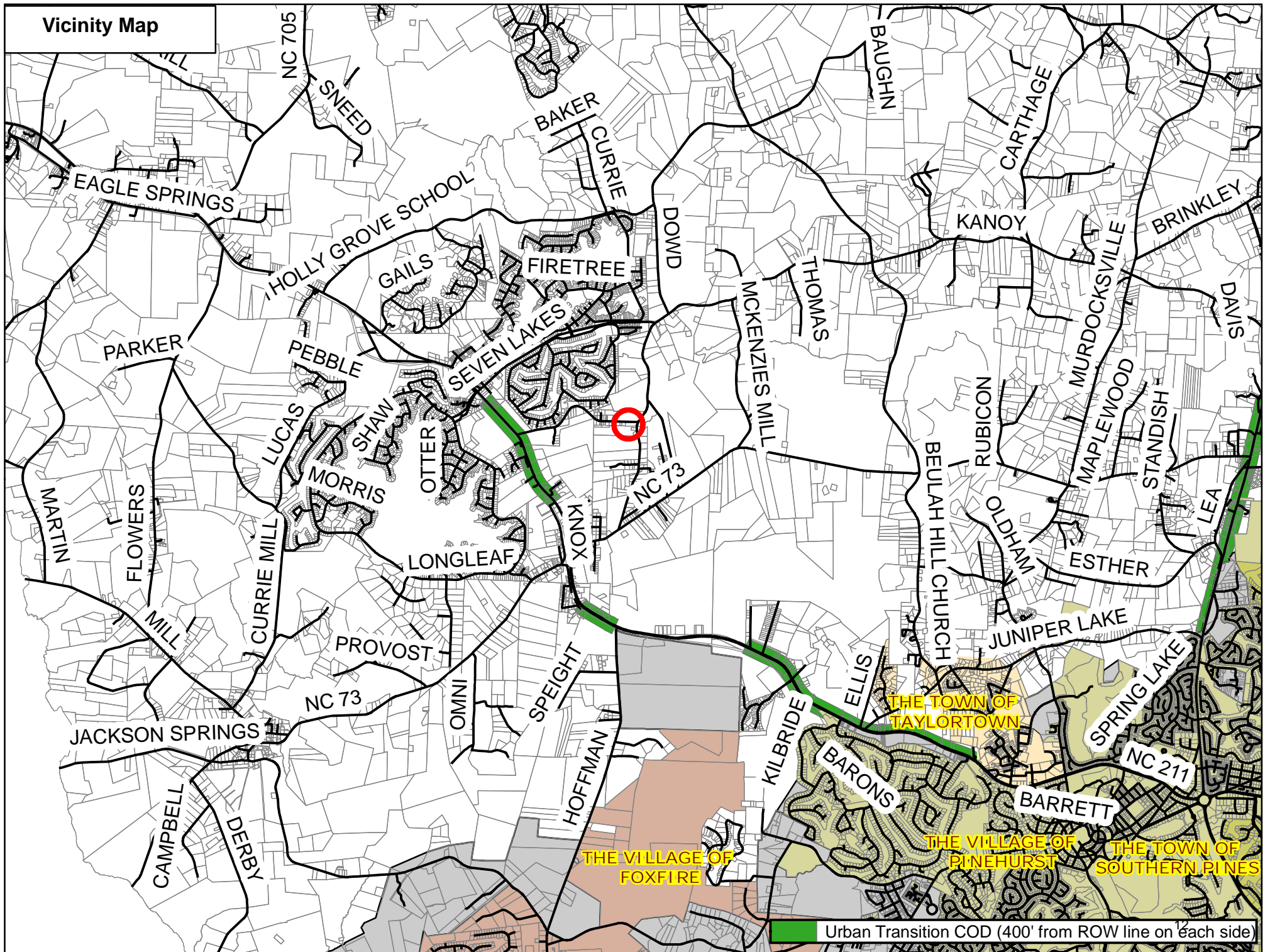
207 Love Grove Church Road



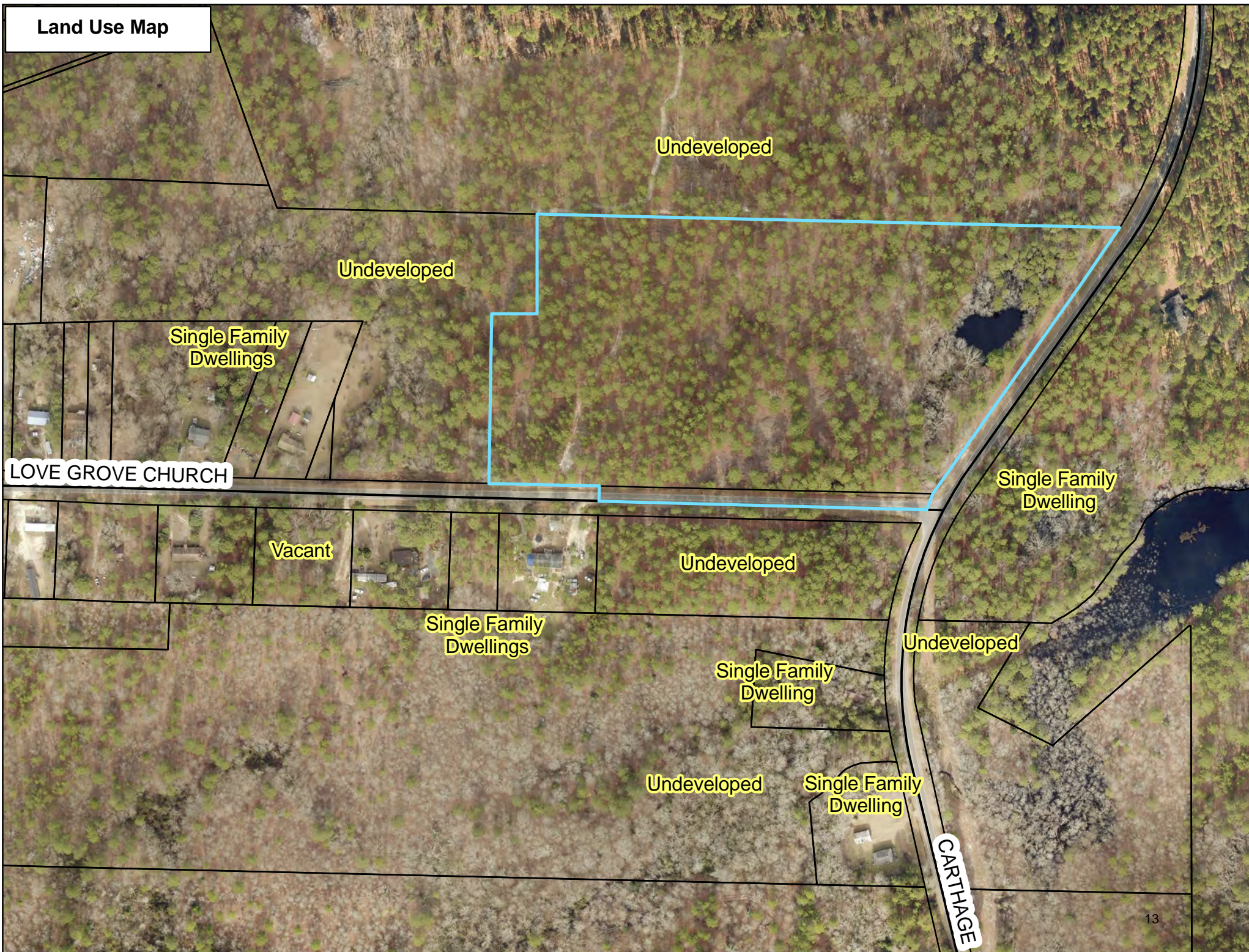
236 Love Grove Church Road



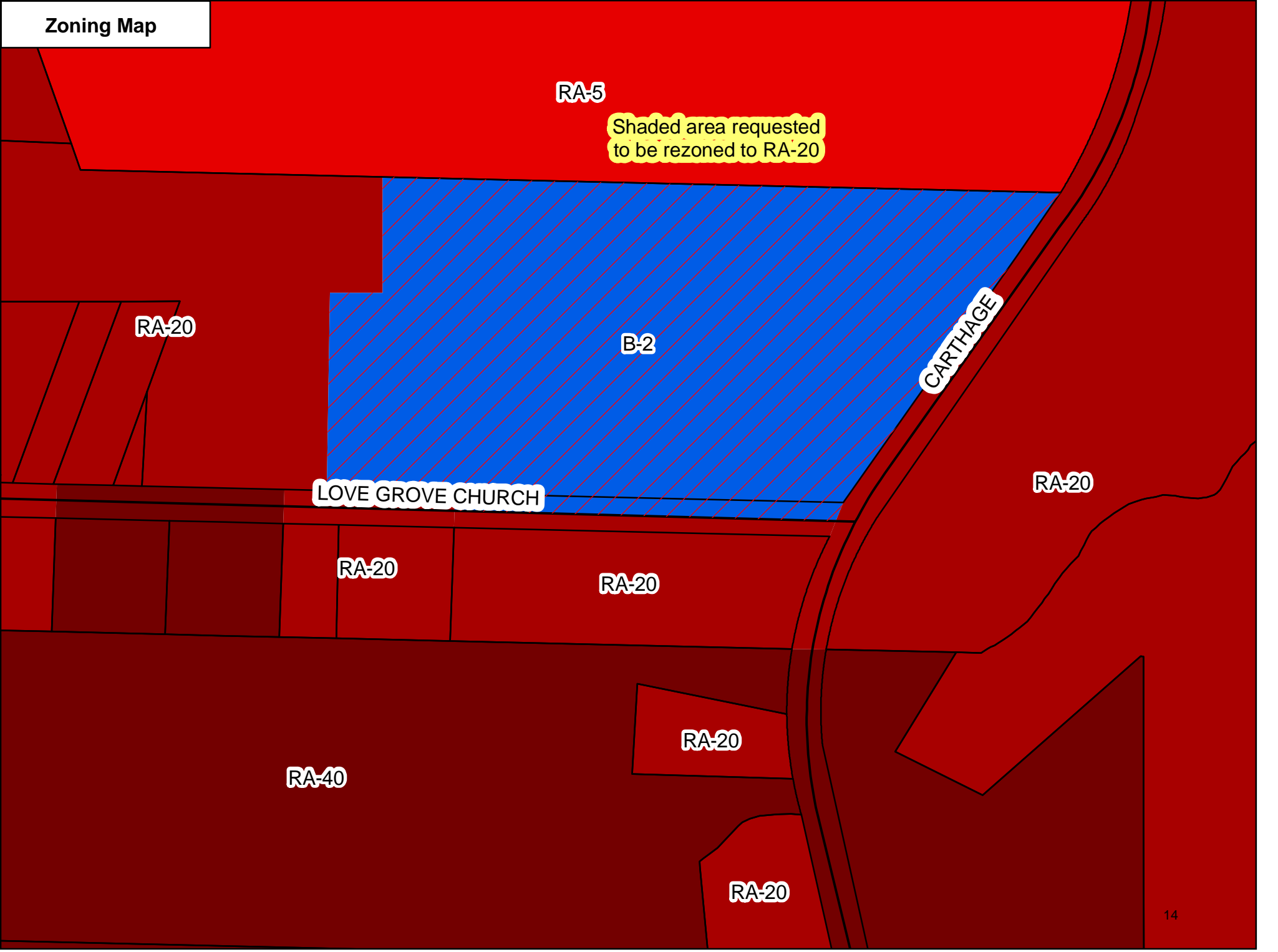
Vicinity Map



Land Use Map



Zoning Map



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County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221
 Planning: (910) 947-5010
 Transportation: (910) 947-3389
 Fax: (910) 947-1303

GENERAL USE REZONING APPLICATION

Application Date: 2/12/2020		4154 Carthage Rd, West End, NC	
Location/Address of Property: Corner of Carthage & Love Grove Ch Rd 27376			
Applicant: Pete Mace / PO 2605, SP 28388		Phone: (910) 639-2882	
Applicant Address: 170 Pine Barrens Vista		City: Southern Pines	St: NC Zip: 28387
Owner: Johnny Harris & Kathy Harris		Phone: (910) 638-5480	
Owner Address: 4291 Dowd Rd		City: Carthage NC	St: NC Zip: 28327
Current Zoning District: B-2		Proposed Zoning District: RA-20	
Comments: Rezoning from B-2 to RA-20 RA-20 Surrounds the Parcel * Entire B-2 Zoning Area of PID# 00020635 to Be Re-Zoned RA-20.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
[Signature of Pete Mace] Applicant/Owner Signature		2/12/2020 Date	
[Signature of Johnny Harris] Applicant/Owner Signature		2/12/2020 Date	
Office Use Only: PAR ID: 00020635 [Signature of Rosam Thompson] Received By Date			

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County of Moore Planning and Transportation



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GENERAL USE REZONING APPLICATION

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Owner Address: 4291 Dowd Rd		City: Carthage NC	St: NC Zip: 28327
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Comments: Rezoning from B-2 to RA-20 RA-20 Surrounds the Parcel * Entire B-2 Zoning Area of PID# 00020635 to Be Re-Zoned RA-20.			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
		2/12/2020	
Applicant/Owner Signature		Date	
		2/12/2020	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: 00020635			
		2/12/2020	
Received By		Date	

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Rural Agricultural-20 (RA-20)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing highway, other developed residential properties, has access to public water, and is in close proximity to the Seven Lakes community providing practicality, easy access, and reduced travel times.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Rural Agricultural-20 (RA-20)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-20 (RA-20) of approximately 13.21 acres (entire portion currently zoned B-2 located to the north of Love Grove Church Road) of an approximate 26.32 acre parcel, located on the corner of Love Grove Church Road and Carthage Road, West End.

Joe Garrison, Chair
Moore County Planning Board

Date

CHAPTER 6

TABLE OF USES

6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
 1. The actual or projected characteristics of the activity.
 2. The relative amount of site area or floor space and equipment utilized.
 3. Relative amounts of sales from the activity and customer type for the activity.
 4. The relative number of employees and hours of operation.
 5. Building and site arrangement and likely impact on surrounding properties.
 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

ACCESSORY USES & ACCESSORY BUILDINGS	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

AGRICULTURAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			Z	Z			Z		Z						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									Z						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									Z					P	8.20	B
Animal Training Facility, Military									Z					P	8.21	B
Kennels, Overnight									Z			Z	Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									Z		P	P	P		8.23	B
Veterinary Clinic							P		Z		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Bed and Breakfast	Z	Z	Z	Z				Z	Z						8.27	
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Equestrian Cottage							Z								8.29	
Hotel and Motel													P		8.30	R-1
Office											P	P	P	P	8.31	B
Small Appliance Repair Shop											P	P	P	P	8.32	B
Trade Contractor Office and Workshop											P	Z	P	P	8.33	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.34	A-3, B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									Z			Z	P		8.38	B, M
Garden Center											P	P	P		8.39	M, U
Manufactured or Modular Home Sales													P	P	8.40	B
Restaurant						P					P	P	P	P	8.41	A-2
Retail											P	P	P		8.42	M
Shopping Centers													Z	C	8.43	M
Wholesales											C		P	P	8.44	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.45	S-1
Car Wash or Auto Detailing											P	P	P	P	8.46	B
Commercial Truck Wash												C	P	P	8.47	B
Parking Lot as principal use of lot											P	P	P	P	8.48	S-2
Taxi Service												Z	P	P	8.49	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.50	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.51	M
Vehicle Wrecker Service												Z	Z	P	8.52	S-1
ADULT USES																
Adult Gaming Establishments														C	8.53	B
Bars / Tavern											C		P		8.54	A-2
Brewery / Winery									C		P		P	P	8.55	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.56	A-2, A-3
Distillery														P	8.57	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.58	B
Pawn Shop											Z		P	P	8.59	B
Sexually Oriented Business														Z	8.60	A-2, M
Tattoo Parlor, Body Piercing													P		8.61	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.62	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.63	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.64	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.65	E, R
Colleges, Business & Trade Schools									C				P	P	8.66	B
Funeral Home, accessory crematorium											P	P	P	P	8.67	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.68	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.69	I
Museums and Art Galleries									C		P	P	P		8.70	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.71	A-3, E
Security Training Facility									C						8.72	B
Schools, Elementary, Middle, High												P	P		8.73	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.74	A, R
Airport, Public or Private									C					Z	8.75	A-3, B
Airstrip, Small Private									C			P			8.76	B
Assembly Hall						Z			Z		Z		Z	P	8.77	A-4, A-5
Camp or Care Centers									P						8.78	A-3, R-1
Campground, Public and Private									P						8.79	A-3, R-1
Camp, Recreation Day									P						8.80	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.81	A-2, A-3
Golf Driving Range					C	C				P			P		8.82	A-3
Golf Course, including Par 3					C	C				P			P		8.83	U
Marina (fuel supplies)					P	P									8.84	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.85	U
Recreation, Indoor											C	C	P		8.86	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.87	A-5
Recreation, High Impact Outdoor									Z		Z		P		8.88	
Shooting Range, Indoor									Z				P		8.89	A-5
Shooting Range, Outdoor									Z				P		8.90	A-5
Zoo, Petting Zoo									Z				P		8.91	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.92	F
Manufacturing, General														Z	8.93	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.94	U
Contractors Storage Yard and Office									Z				P	P	8.95	S-1, U
Crematorium Facility													Z	P	8.96	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.97	U
Solar Collector Facility														C	8.98	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.99	U
Wireless Communication Facility									Z				Z	Z	8.100	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.101	U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.102	S
Warehousing and/or Distribution Center									Z				C	P	8.103	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.104	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.105	U
Landfill														C	8.106	U
Mining / Quarry Operation									Z					C	8.107	U
Salvage Yard														C	8.108	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.116	n/a

OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision – Residential (1)	C	C						C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)													C	C	18.6-18.11	Mix

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

March 1, 2019 11:26:49 AM

Book: 5095 Page: 156 - 158 #Pages: 3

Fee: \$26.00 NC Rev Stamp: \$360.00

Instrument # 2019002543

GENERAL WARRANTY DEED**THIS INSTRUMENT PREPARED BY:**

Michelle Stinnett
 Lorenz & Creed Law Firm, PLLC
 230 N. Bennett Street
 Southern Pines, NC 28387

TO BE RECORDED IN THE
 DEED RECORDS OF
 MOORE COUNTY, NC

Excise Tax: \$ 360.00THIS DEED made this 27 day of February, 2019, by and between:

<u>GRANTOR</u>	<u>GRANTEE</u>
JOHNSON IMPROVEMENT COMPANY, LLC, a North Carolina Limited Liability Company, successor by merger with JOHNSON IMPROVEMENT COMPANY, a North Carolina General Partnership Mailing Address: 9345 Martin Rd. Roswell, GA 30076	JOHNNY HARRIS AND WIFE, KATHY HARRIS Mailing Address: 4291 Dowd Road Carthage, NC 28327

WITNESSETH:

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, the Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land (referred to in the singular, whether one or more) situated in Mineral Spring Township, Moore County, North Carolina, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY HEREIN CONVEYED. SAID EXHIBIT BEING INCORPORATED HEREIN BY REFERENCE AS FULLY AS IF SET FORTH HEREON.

This property herein described does not include the primary residence of the Grantor.

And being a portion of the property conveyed to Grantor in instrument recorded in Book 177, Page 311, in the Moore County, North Carolina, Register of Deeds. The attorney preparing this instrument has not searched the title to the real property hereby conveyed and makes no opinion relative to the status of the title to the real property hereby conveyed.

This conveyance is made subject to (i) the lien of the County of Moore for taxes and other assessments for the current year, which taxes or other assessments shall be pro-rated as of the date of closing and which Grantee by acceptance of this deed expressly agrees to pay; (ii) utility easements of record; and (iii) unviolated restrictive covenants of record that do not materially affect the value of the property.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

JOHNSON IMPROVEMENT COMPANY, LLC
A North Carolina Limited Liability Company

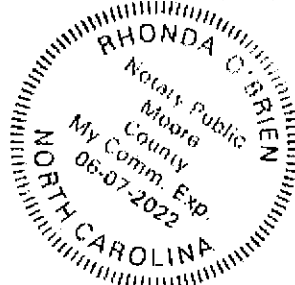
By: [Signature] (SEAL)
William A. Johnson, III, Member-Manager

STATE OF nc
COUNTY OF Moore

I certify that the following person(s) personally appeared before me this day and ☒ I have personal knowledge of the identity of the principal(s); ☐ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license; ☐ a credible witness has sworn to the identity of the principal(s); the principal(s) acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name of Principal(s): William A. Johnson, III, Member-Manager **JOHNSON IMPROVEMENT COMPANY, LLC.**

Date: 2/27/19



[Signature]
Notary Public

Rhonda O'Brien
Printed or typed name of Notary Public

My commission expires: 6/7/22

[SEAL]

NOTARY PUBLIC: Please place an (X) in the space that describes the method of identifying the principal and (--) in the spaces that do not apply.

EXHIBIT "A"

Lying and being in Mineral Springs Township, Moore County, NC and being Tract 2, containing 26.32 acres more or less, the identical tract or parcel of land shown, indicated and designated on that certain plat or map recorded in Plat Cabinet 5, Slide 130, Moore County Registry, Carthage, NC, and to which reference is hereby made.

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: April 20, 2020

SUBJECT: General Use Rezoning Request:
Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) –
Armstead Road / US Hwy 1

PRESENTER: Dervin Spell

REQUEST

Robert Hayter is requesting a General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

BACKGROUND

The property is currently developed. There is an existing single family dwelling located on the property. Adjacent properties include single family dwellings, undeveloped property, and a self service mini-warehouse business.

ZONING DISTRICT COMPATIBILITY

The surrounding area is zoned a mixture of Highway Commercial (B-2), Residential and Agricultural-40 (RA-40), and Rural Equestrian (RE). Vass' zoning jurisdiction is located across US Hwy 1 including the following zoning district: Highway Commercial (HC).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

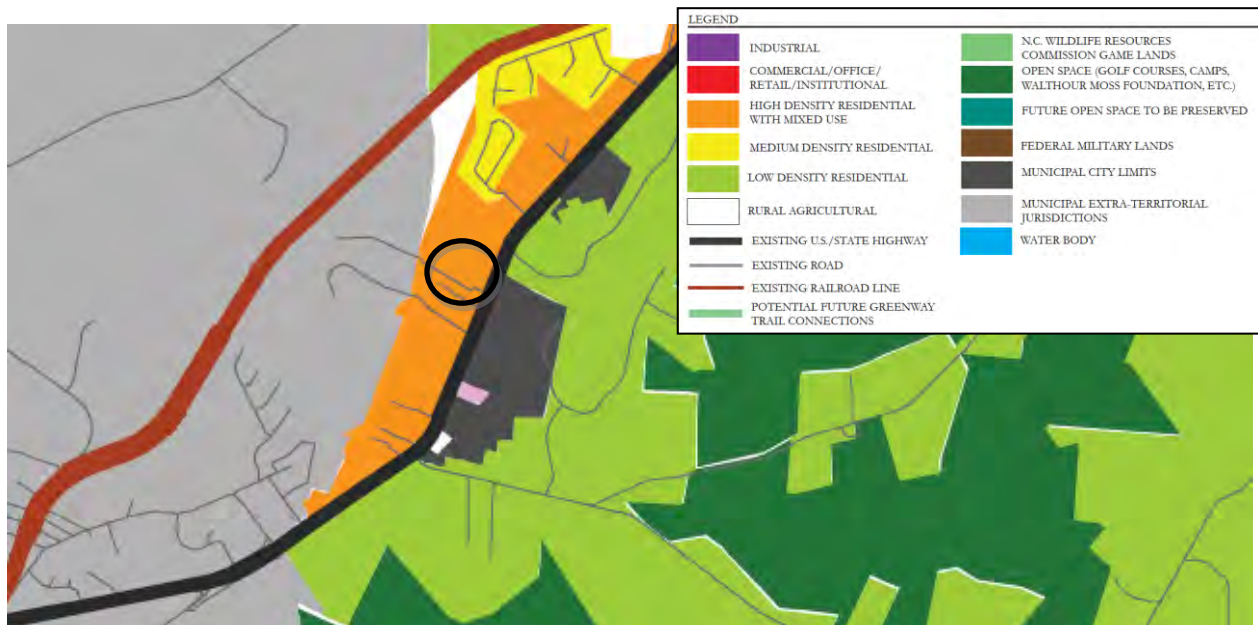
The future land use map identifies the property as High Density Residential with Mixed Use Land Use Classification. The requested zoning to Residential and Agricultural-40 (RA-40) is compatible with the High Density Residential with Mixed Use Land Use Classification.

The Land Use Plan states the primary use of the High Density Residential With Mixed Use is a density of four (4) to eight (8) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This category shall also include certain non-residential neighborhood supportive uses such as retail, commercial, office, schools, daycares, churches and others similar uses compatible with residential. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space; and must be adequate to

accommodate the development. The public service providers in the proximity of these areas shown on the Future Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

MOORE COUNTY FUTURE LAND USE MAP



MOORE COUNTY COMPARISON LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached **Approval** or **Denial** Land Use Plan Consistency Statement to authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Land Use Map
- Rezoning Map
- Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- Deed Book 2837 Page 80

View of Armstead Road from US Hwy 1



View of property from US Hwy 1



Armstead Road / US Hwy 1 – General Use Rezoning – Staff Report



View of property across from US Hwy 1



Armstead Road / US Hwy 1 – General Use Rezoning – Staff Report

Northbound view of US Hwy 1 from subject property



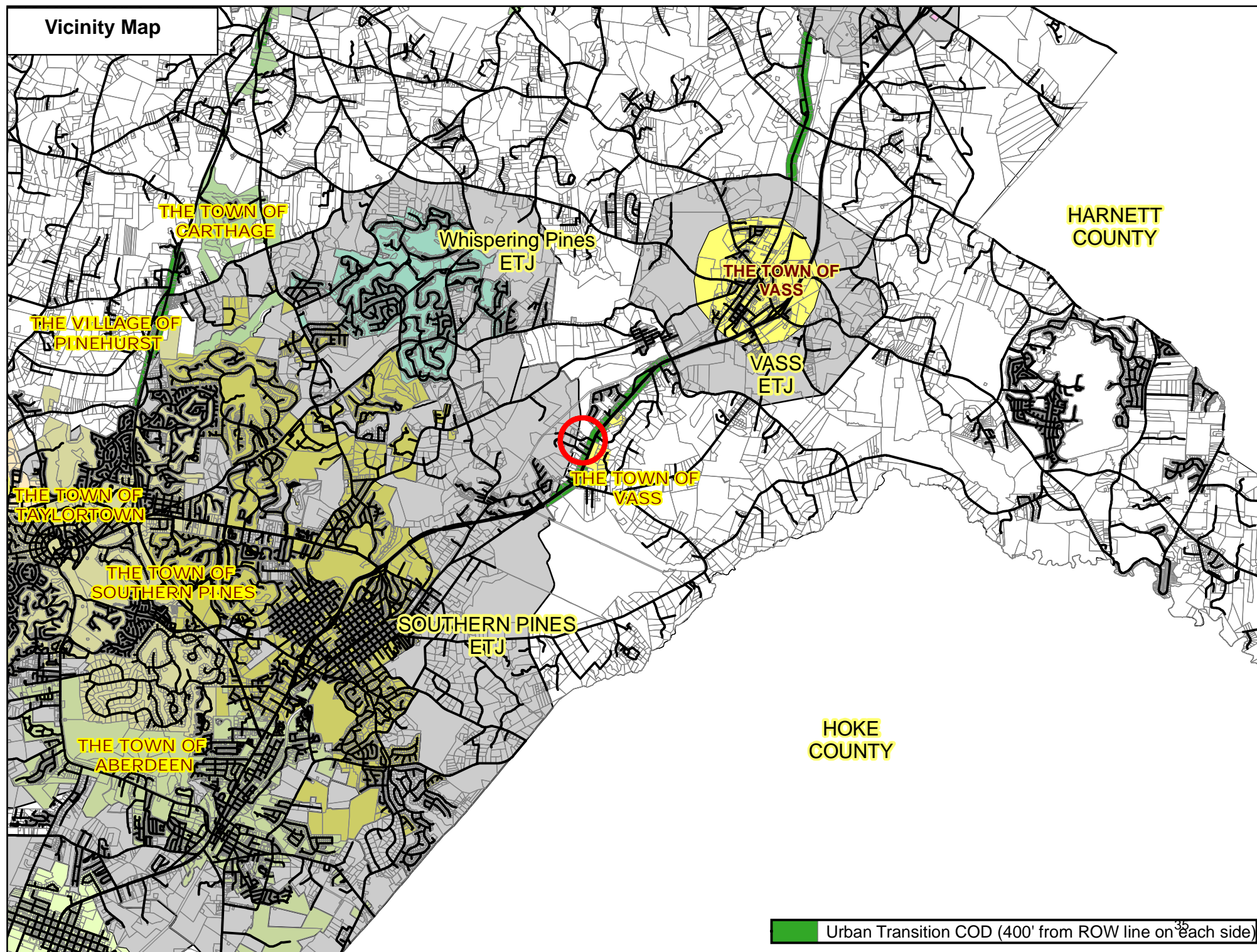
Southbound view of US Hwy 1 from subject property



View of adjacent property - 5416 US Hwy 1



Vicinity Map



Land Use Map



Zoning Map

SOUTHERN PINES
ETJ

RR

ARMSTEAD

RA-40

Shaded area requested
to be rezoned to RA-40

TRUDEAU

B-2

PINE LAKE

RA-20

SAVANNAH

US 1

HC

RA

RE

HORSE PEN

VASS
TOWN LIMITS

HC

RA

PELHAM

County of Moore
Planning and Transportation

App# 29033



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

GENERAL USE REZONING APPLICATION

Application Date: <u>MARCH 9, 2020</u>			
Location/Address of Property: <u>PIN 00039437; US# 1; 165 ARMSTRONG RD</u>			
Applicant: <u>ROBERT S. HAYTER</u>		Phone: <u>910 639 4307</u>	
Applicant Address: <u>PO BOX 499</u>	City: <u>INDEPENDENCE</u>	St: <u>VA</u>	Zip: <u>28348</u>
Owner: <u>ROBERT & JACKIE HAYTER</u>		Phone: <u>910 639 4307</u>	
Owner Address: <u>Box 499</u>	City: <u>INDEPENDENCE</u>	St: <u>VA</u>	Zip: <u>28348</u>
Current Zoning District: <u>RA40 & B2</u>		Proposed Zoning District: <u>RA40</u>	
Comments: <u>DOWN ZONE THE HIGHWAY COMMERCIAL B-2 PORTION OF THE PARCEL</u> <u>TO RA-40.</u>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator. <u>Robert S. Hayter</u> Applicant/Owner Signature _____ Date _____ <u>Jackie S. Hayter</u> Applicant/Owner Signature _____ Date _____			
Office Use Only: PAR ID: <u>00039437</u> <u>Russell Chapman</u> <u>3/23/2020</u> Received By _____ Date _____			

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is reasonable and in the public interest considering the property is located adjacent to an existing major highway, other developed residential properties, has access to public water, and is in close proximity to the Southern Pines and Vass communities providing practicality, easy access, and reduced travel times.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas.
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning is not consistent with the highway business corridor.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Highway Commercial (B-2) to Residential and Agricultural-40 (RA-40) of approximately 4.82 acres of an approximate 8.62 acre parcel (the entire parcel being rezoned to RA-40), located on US Hwy 1 and adjacent to Armstead Road, Vass, owned by Robert and Jacqueline Hayter, per Deed Book 2837 Page 80.

Joe Garrison, Chair
Moore County Planning Board

Date

CHAPTER 6

TABLE OF USES

6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
 1. The actual or projected characteristics of the activity.
 2. The relative amount of site area or floor space and equipment utilized.
 3. Relative amounts of sales from the activity and customer type for the activity.
 4. The relative number of employees and hours of operation.
 5. Building and site arrangement and likely impact on surrounding properties.
 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

ACCESSORY USES & ACCESSORY BUILDINGS	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

AGRICULTURAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			Z	Z			Z		Z						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									Z						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									Z					P	8.20	B
Animal Training Facility, Military									Z					P	8.21	B
Kennels, Overnight									Z			Z	Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									Z		P	P	P		8.23	B
Veterinary Clinic							P		Z		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Bed and Breakfast	Z	Z	Z	Z				Z	Z						8.27	
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Equestrian Cottage							Z								8.29	
Hotel and Motel													P		8.30	R-1
Office											P	P	P	P	8.31	B
Small Appliance Repair Shop											P	P	P	P	8.32	B
Trade Contractor Office and Workshop											P	Z	P	P	8.33	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.34	A-3, B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									Z			Z	P		8.38	B, M
Garden Center											P	P	P		8.39	M, U
Manufactured or Modular Home Sales													P	P	8.40	B
Restaurant						P					P	P	P	P	8.41	A-2
Retail											P	P	P		8.42	M
Shopping Centers													Z	C	8.43	M
Wholesales											C		P	P	8.44	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.45	S-1
Car Wash or Auto Detailing											P	P	P	P	8.46	B
Commercial Truck Wash												C	P	P	8.47	B
Parking Lot as principal use of lot											P	P	P	P	8.48	S-2
Taxi Service												Z	P	P	8.49	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.50	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.51	M
Vehicle Wrecker Service												Z	Z	P	8.52	S-1
ADULT USES																
Adult Gaming Establishments														C	8.53	B
Bars / Tavern											C		P		8.54	A-2
Brewery / Winery									C		P		P	P	8.55	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.56	A-2, A-3
Distillery														P	8.57	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.58	B
Pawn Shop											Z		P	P	8.59	B
Sexually Oriented Business														Z	8.60	A-2, M
Tattoo Parlor, Body Piercing													P		8.61	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.62	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.63	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.64	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.65	E, R
Colleges, Business & Trade Schools									C				P	P	8.66	B
Funeral Home, accessory crematorium											P	P	P	P	8.67	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.68	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.69	I
Museums and Art Galleries									C		P	P	P		8.70	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.71	A-3, E
Security Training Facility									C						8.72	B
Schools, Elementary, Middle, High												P	P		8.73	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.74	A, R
Airport, Public or Private									C					Z	8.75	A-3, B
Airstrip, Small Private									C			P			8.76	B
Assembly Hall						Z			Z		Z		Z	P	8.77	A-4, A-5
Camp or Care Centers									P						8.78	A-3, R-1
Campground, Public and Private									P						8.79	A-3, R-1
Camp, Recreation Day									P						8.80	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.81	A-2, A-3
Golf Driving Range					C	C				P			P		8.82	A-3
Golf Course, including Par 3					C	C				P			P		8.83	U
Marina (fuel supplies)					P	P									8.84	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.85	U
Recreation, Indoor											C	C	P		8.86	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.87	A-5
Recreation, High Impact Outdoor									Z		Z		P		8.88	
Shooting Range, Indoor									Z				P		8.89	A-5
Shooting Range, Outdoor									Z				P		8.90	A-5
Zoo, Petting Zoo									Z				P		8.91	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.92	F
Manufacturing, General														Z	8.93	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.94	U
Contractors Storage Yard and Office									Z				P	P	8.95	S-1, U
Crematorium Facility													Z	P	8.96	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.97	U
Solar Collector Facility														C	8.98	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.99	U
Wireless Communication Facility									Z				Z	Z	8.100	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.101	U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.102	S
Warehousing and/or Distribution Center									Z				C	P	8.103	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.104	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.105	U
Landfill														C	8.106	U
Mining / Quarry Operation									Z					C	8.107	U
Salvage Yard														C	8.108	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.116	n/a

OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision – Residential (1)	C	C						C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)													C	C	18.6-18.11	Mix

Hayes

FOR REGISTRATION REGISTER OF DEEDS
JUDY D. MARTIN
MOORE COUNTY, NC
2005 JUL 01 04:24:23 PM
BK:2837 PG:80-82 FEE:\$343.00
NC REVENUE STAMP:\$326.00
INSTRUMENT # 2005012939

GARNER & HAYES, PLLC

Drafted by L. Pendleton Hayes

160 Fox Hollow Road, Suite 202

Pinehurst, NC 28374

Mail: PO Box 1795, Southern Pines, NC, 28388

STATE OF NORTH CAROLINA

COUNTY OF MOORE

WARRANTY DEED

THIS DEED, made this 21st day of June, 2005, by and between **Royal A. Stutts, Jr. and wife, Joyce B. Stutts, Grantor**, and **Robert S. Hayter and wife, Jacqueline Hayter, Grantee**;

PO Box 1503

WITNESSETH: *Southern Pines, NC 28388*

That said Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract, or parcel of land situated in McNeill Township, Moore County, North Carolina, and more particularly described as follows:

BEING approximately 8.62 acres of the property of Roy Stutts, Jr., a portion of the property described as "Roy Stutts Jr. Book 266 Page 332" further described:

BEING the property shown as Roy Stutts Jr., Book 266, Page 332, on a plat recorded in the Office of the Register of Deeds for Moore County, NC, in Plat Cabinet 2, Slide 11, LESS AND EXCEPTING THE FOLLOWING PARCELS:

Tract 1. The 1.03 acre parcel deeded to Grantee in Book 539, Page 46, Moore County Registry.

Tract 2. The 2.37 acre parcel deeded to Grantee in Book 520, Page 265, Moore County Registry.

This conveyance is made subject to: (i) ad valorem taxes for the current year, which taxes shall be prorated at closing; (ii) utility easements of record; and (iii) restrictions enforceable against the property.

TO HAVE AND TO HOLD the aforesaid lot, tract or parcel of land, and all privileges and appurtenances thereto belonging to the said Grantee in fee simple; subject, however, to the exceptions, reservations and conditions hereinabove referred to.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons, subject however, to the exceptions, reservations and conditions hereinabove referred to.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

Royal A. Stutts, Jr. (Seal)
Royal A. Stutts, Jr.

Joyce B. Stutts (Seal)
Joyce B. Stutts

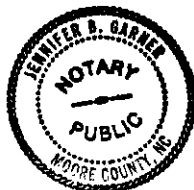
STATE OF NORTH CAROLINA

COUNTY OF MOORE

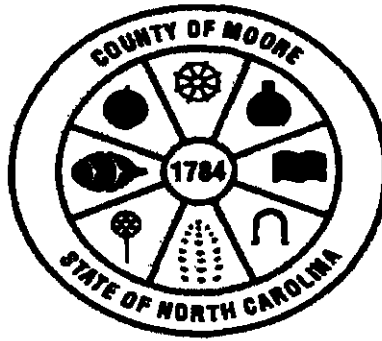
I, Jennifer B. Garner, a Notary Public for the County and State aforesaid, do hereby certify that Royal A. Stutts, Jr. and wife, Joyce B. Stutts, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my official stamp or seal, this 21st day of June, 2005.

My Commission Expires:
10-18-09



Jennifer B. Garner
Notary Public
(SEAL)



JUDY D. MARTIN
REGISTER OF DEEDS, MOORE
JUDICIAL BUILDING
100 DOWD STREET
CARTHAGE, NC 28327

Filed For Registration: 07/01/2005 04:24:23 PM
Book: RE 2837 Page: 80-82
Document No.: 2005012939
DEED 3 PGS \$343.00
NC REAL ESTATE EXCISE TAX: \$326.00
Recorder: REGINA GARNER

State of North Carolina, County of Moore

The foregoing certificate of JENNIFER B GARNER Notary is certified to be correct. This 1 ST of July 2005

JUDY D. MARTIN , REGISTER OF DEEDS

By: *Linda W. Clerk*
Deputy/Assistant Register of Deeds

2005012939
2005012939

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning & Transportation Director

DATE: April 20, 2020

SUBJECT: General Use Rezoning Request: Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) – Juniper Lake Road

PRESENTER: Theresa Thompson

REQUEST

Audio & Electronic Concepts, Inc. c/o Van Keller is requesting a General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road, owned by Audio & Electronic Concepts, Inc., per Deed Book 1659 Page 23.

Public notification consisted of notification by mail to adjacent property owners and placing public hearing signs on the property.

BACKGROUND

There are four unoccupied buildings (a single family dwelling unit, two storage buildings, and a convenience store which is now closed). Adjacent properties include single family dwellings, the Veterans Motorcycle Club, and the “Juniper Lake Place” which comprises of several businesses.

ZONING DISTRICT COMPATIBILITY

The surrounding area is zoned a mixture of Residential and Agricultural-20 (RA-20), Residential and Agricultural-40 (RA-40), and Highway Commercial (B-2).

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The site has a Medium Density Residential Land Use Classification. The requested zoning to Highway Commercial (B-2) is not compatible with the Medium Density Residential Land Use Classification.

The Medium Density Residential Land Use Classification is a density of 2 (two) to 4 (four) dwellings per acre, single family detached or attached. Housing may include a mixture of dwelling types, including single-family detached, duplex, patio home, semi-detached/attached dwelling, multi-family, or townhouse. This may also include certain non-residential neighborhood supportive uses such as schools, daycares, churches and others. Density would require engineered sewerage disposal systems. Public infrastructure and facilities such as roads, water, sewer, schools, fire/rescue, open space, and must be adequate to accommodate the development. The public service providers in the proximity of these areas shown on the Future

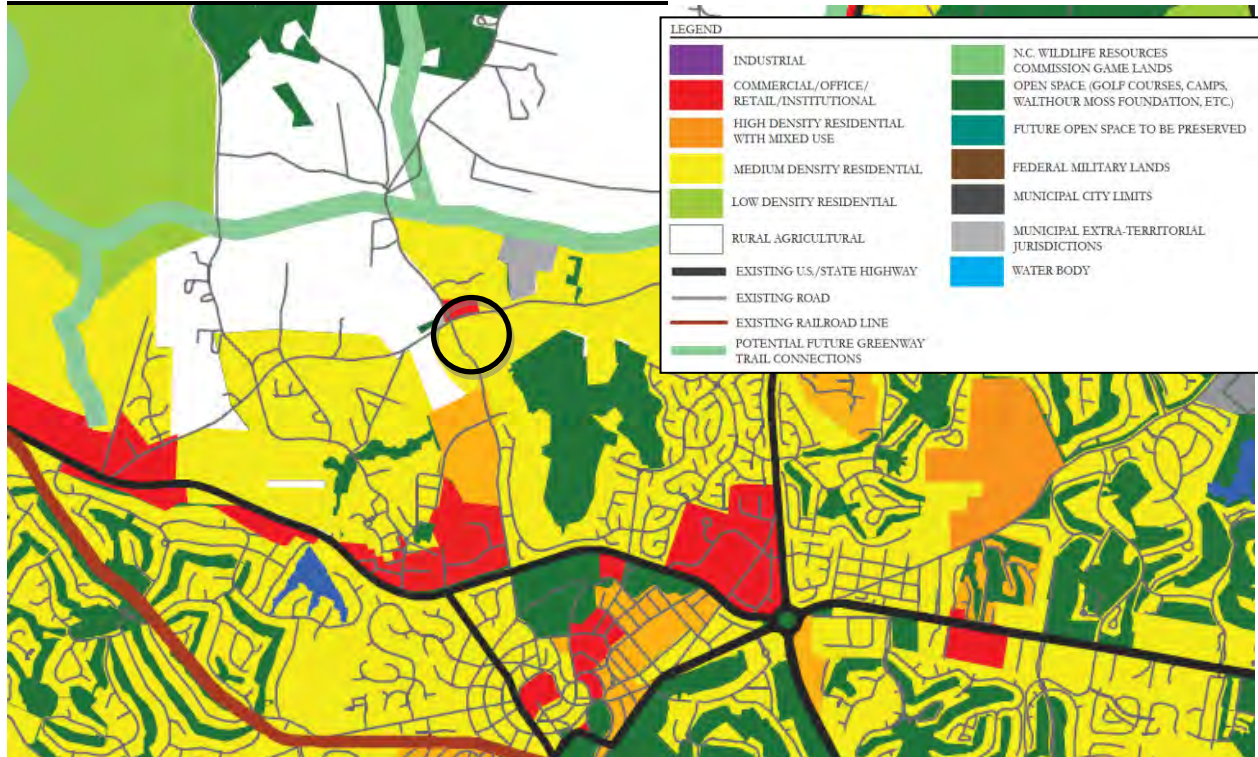
Land Use Map shall consider extending, upgrading and/or preserving infrastructure in these locations.

The Commercial/Office/Retail/Institutional Land Use Classification's primary use is intended for shopping/retail uses, dining, entertainment, services, general office space, medical offices, banks, schools, daycares, places of worship, libraries, etc. The Moore County Unified Development Ordinance states the Highway Commercial (B-2) district provides for the development of commercial and service centers that serve community, countywide, or regional commercial needs, are accessible by residents from surrounding neighborhoods, and are of such nature so as to minimize conflicts with surrounding residential areas.

Although this site is located within the Medium Density Residential Land Use Classification, the site is located adjacent to the Commercial/Office/Retail/Institutional Land Use Classification, as indicated by the red color on the map below, and is located adjacent to other non-residential uses.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas, and Recommendation 1.7: Support and promote local businesses. Therefore, if approved, staff recommends updating the Land Use Map to reclassify this site to the Commercial/Office/Retail/Institutional Land Use Classification.

MOORE COUNTY FUTURE LAND USE MAP



RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached **Approval** or **Denial** Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan.

Motion #2: Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road.

ATTACHMENTS

- Pictures of Property and Adjacent Properties
- Vicinity Map
- Aerial Map
- Land Use Map
- Rezoning Map
- Rezoning Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- UDO – Chapter 6. Table of Uses
- Deed Book 1659 Page 23

View of subject property



Adjacent property – 3625 Murdocksville Road



Adjacent property – 3664 Murdocksville Road



Adjacent property – 3674 Murdocksville Road



Adjacent property – 3621 Murdocksville Road



Adjacent property – 990 Juniper Lake Road



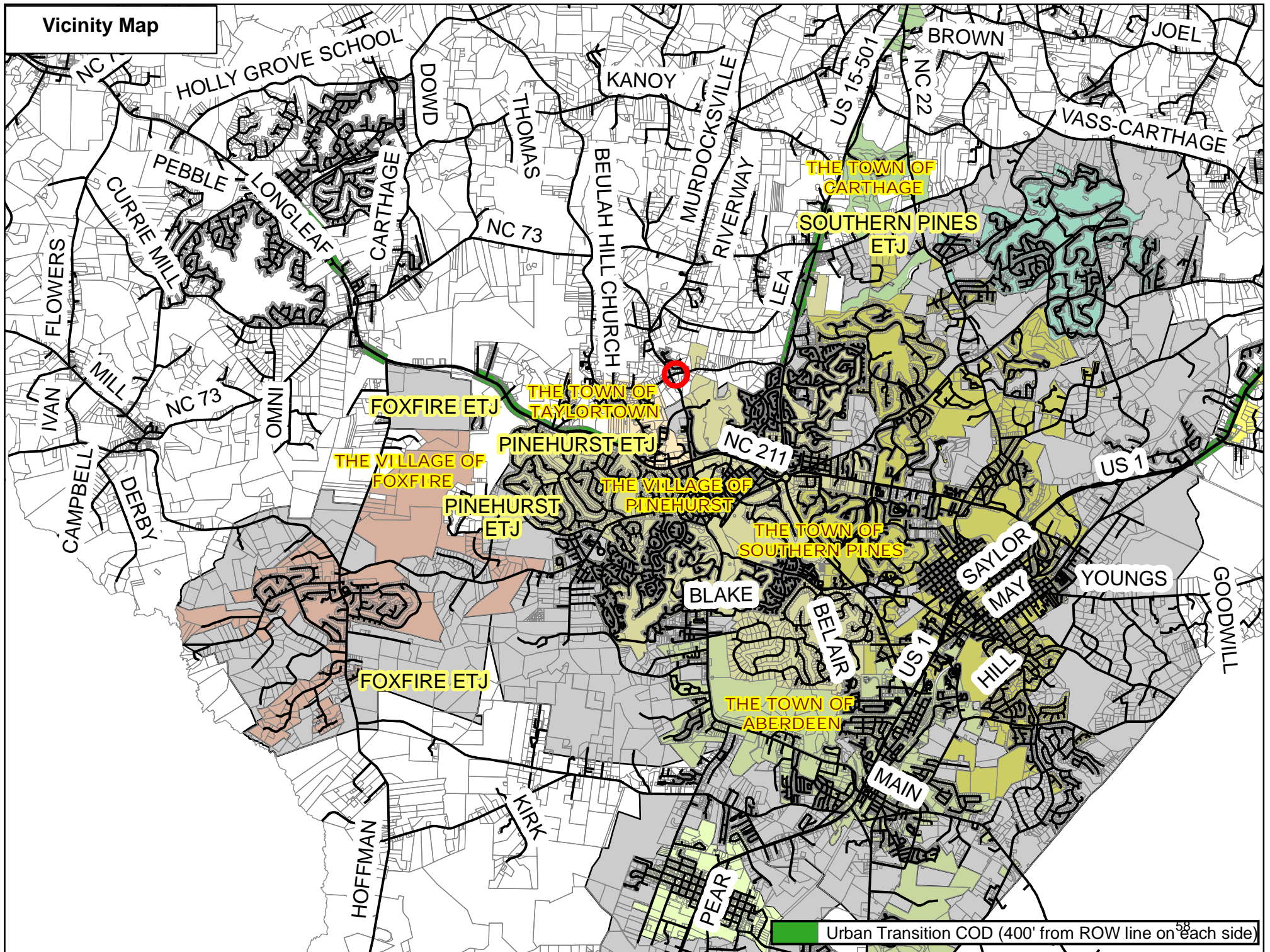
View of Carroussel Street



Adjacent property – 975 Juniper Lake Road



Vicinity Map



Urban Transition COD (400' from ROW line on each side)⁵⁸

Land Use Map

Single Family Dwelling

Warehouses

Office Building

Warehouses

Juniper Lake Place

Single Family Dwellings

Manufactured Home

Single Family Dwellings

Single Family Dwelling

Veterans Club

Single Family Dwelling

Single Family Dwelling

Single Family Dwelling

Zoning Map

RA-20

B-2

RA-40

CAROUSEL

RA-40

RA-20

Shaded areas requested
to be rezoned to B-2

RA-20

RA-20

JUNIPER LAKE

THE TOWN OF
TAYLORTOWN

MURDOCKSVILLE

RA-20

R-20

RA-20

RA-40

RA-20

App# 29340

County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221
Planning: (910) 947-5010
Transportation: (910) 947-3389
Fax: (910) 947-1303

GENERAL USE REZONING APPLICATION

Application Date: <u>APRIL 10, 2020</u>			
Location/Address of Property: <u>Joniper Lake & Murdocksville Roads, West End (PID 00030372)</u>			
Applicant: <u>AUDIO & ELECTRONIC CONCEPTS, INC / VANCE KELLER</u>		Phone: <u>315-3113</u>	
Applicant Address: <u>PO Box 3275</u>	City: <u>PINEHURST</u>	St: <u>NC</u>	Zip: <u>28374</u>
Owner: <u>AUDIO & ELECTRONIC CONCEPTS, INC / VANCE KELLER</u>		Phone: <u>315-3113</u>	
Owner Address: <u>Box 1063 SEVEN LAKES NORTH</u>	City: <u>WEST END</u>	St: <u>NC</u>	Zip: <u>27374</u>
Current Zoning District: <u>RA - 20</u>		Proposed Zoning District: <u>B-2</u>	
Comments: 			
<p>I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.</p> <p><u>Vance Keller</u> <u>4/10/20</u> Applicant/Owner Signature Date</p> <p>_____ Applicant/Owner Signature Date</p>			
Office Use Only:			
PAR ID: <u>00030372</u>			
<u>Cheram Ransom</u>		<u>4/20/2020</u>	
Received By		Date	

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7: Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Approval of the rezoning request is also deemed an amendment to the Land Use Plan Future Land Use Map by reclassifying the site to the Commercial/Office/Retail/Institutional Land Use Classification.

3. Contributing factors in the rezoning approval is in response to managing the demand of new businesses needed to accommodate residential growth, largely resulting from the influx of families spurred by Fort Bragg's growth from the Base Realignment and Closure.

4. The rezoning request is reasonable and in the public interest considering the property is located adjacent to the Pinehurst and Taylortown communities.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning from Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
General Use Rezoning Request
Residential and Agricultural-20 (RA-20) to Highway Commercial (B-2)

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Recommendation 1.7 Support and promote local businesses
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The proposed rezoning is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning from Residential and Agricultural-40 (RA-40) to Highway Commercial (B-2) of an approximate 5.54 acre parcel, located on the corner of Juniper Lake Road and Murdocksville Road.

Joe Garrison, Chair
Moore County Planning Board

Date

CHAPTER 6

TABLE OF USES

6.1 Use Table

- A. Permitted Uses. P = Permitted uses are a use-by-right approved by the Administrator.
- B. Conditional Uses. C = Conditional Use Permit approval required. (Refer to Chapter 12.)
- C. Conditional Zoning. Z = Condition Rezoning within a parallel conditional zoning district required. (Refer to Chapter 11.)
- D. Building Code Classification.

The “Bldg. Code Group” column is intended for reference purposes only and is subject to change without notice. Classifications should be verified by the Building Inspector and should follow the regulations of the applicable “Use & Occupancy Classification” per the 2012 NC Building Code. Change of uses will require sealed plans to be approved by the Building Inspector.

A = Assembly	M = Mercantile
B = Business	R = Residential
E = Education	S = Storage
F = Factory Industrial	U = Utility & Miscellaneous
H = Hazardous	Mix = Mixed Uses (Separation standards may apply)
I = Institutional	

- E. Prohibited Uses. Blank = Districts in which particular uses are prohibited, unless the Administrator determines that the use is similar to an allowed individual use by applying the following criteria:
 1. The actual or projected characteristics of the activity.
 2. The relative amount of site area or floor space and equipment utilized.
 3. Relative amounts of sales from the activity and costumer type for the activity.
 4. The relative number of employees and hours of operation.
 5. Building and site arrangement and likely impact on surrounding properties.
 6. Types of vehicles used, parking requirements, and vehicle trips generated.

When uncertainty exists, the Administrator, after consultation with the County Attorney, shall be authorized to make the interpretation.

ACCESSORY USES & ACCESSORY BUILDINGS	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory Uses & Buildings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.1	R, S, U

AGRICULTURAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Agricultural Uses and Buildings (Not a Bona Fide Farm)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.2	U
Bona Fide Farm	"Bona Fide Farm" exemption status is obtained through the Moore County Planning Department.														8.3	S, U

RESIDENTIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
SINGLE FAMILY HOUSEHOLD																
Accessory Dwelling Located within Stick Built Dwelling	P	P	P	P			P	P	P						8.4	R
Accessory Dwelling Located within Non-Residential Building											P	P	P		8.5	Mix
Accessory Manufactured Home	P	P	P	P			P	P	P						8.6	R
Accessory Stick Built Dwellings	P	P	P	P			P	P	P						8.7	R
Dwellings, Single Family	P	P	P	P	P	P	P	P	P						8.8	R-3
Dwellings, Duplexes	P	P				P	P								8.9	R-3
Family Care Home (6 or less)	P	P	P	P	P	P	P	P	P						8.10	I, R
Home Occupation, Level 1	P	P	P	P	P	P	P	P	P						8.11	R
Home Occupation, Level 2			Z	Z			Z		Z						8.12	R
Manufactured Home	P	P	P	P			P	P	P						8.13	R-3
Manufactured Home Park									Z						8.14	Mix
Personal Workshop / Storage Building	P	P	P	P			P	P	P						8.15	R, S
Planned Unit Development – Mixed Use	Conditional Rezoning to PUD-CZ is required.														8.16	Mix
MULTIFAMILY RESIDENTIAL																
Group Care Facility									Z			C	P		8.17	I, R
Multifamily Dwellings (3 or more units per lot)	Conditional Rezoning to MF-CZ is required.														8.18	R-2
Nursing Home	C	C	C	C					C			P	P		8.19	B, I

COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
ANIMAL SERVICES																
Animal Shelter									Z					P	8.20	B
Animal Training Facility, Military									Z					P	8.21	B
Kennels, Overnight									Z			Z	Z	P	8.22	B
Pet Day Care, Grooming, Obedience Training									Z		P	P	P		8.23	B
Veterinary Clinic							P		Z		P	P	P		8.24	B
OFFICES & GENERAL SERVICES																
Automatic Teller Machine (ATM)											P	P	P	P	8.25	U
Beauty / Barber Shop / Nail Salon						P					P	P	P		8.26	B
Bed and Breakfast	Z	Z	Z	Z				Z	Z						8.27	
Dry Cleaning and Laundromat						P					P	P	P	P	8.28	B
Equestrian Cottage							Z								8.29	
Hotel and Motel													P		8.30	R-1
Office											P	P	P	P	8.31	B
Small Appliance Repair Shop											P	P	P	P	8.32	B
Trade Contractor Office and Workshop											P	Z	P	P	8.33	B, S
COMMERCIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
RETAIL SERVICES																
Auction House												P	P	P	8.34	A-3, B
Convenience Store						P			C		P	P	P	P	8.35	M
Feed and Seed Sales							C		C			P	P	P	8.36	B, M
Florist									P		P	P	P	P	8.37	B
Flea Market									Z			Z	P		8.38	B, M
Garden Center											P	P	P		8.39	M, U
Manufactured or Modular Home Sales													P	P	8.40	B
Restaurant						P					P	P	P	P	8.41	A-2
Retail											P	P	P		8.42	M
Shopping Centers													Z	C	8.43	M
Wholesales											C		P	P	8.44	M

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						P		Z		8.45	S-1
Car Wash or Auto Detailing											P	P	P	P	8.46	B
Commercial Truck Wash												C	P	P	8.47	B
Parking Lot as principal use of lot											P	P	P	P	8.48	S-2
Taxi Service												Z	P	P	8.49	B, A-3
Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, or Service											P	P	P	P	8.50	B, S-1
Vehicle Service Stations (Gas Stations)											Z	P	P	P	8.51	M
Vehicle Wrecker Service												Z	Z	P	8.52	S-1
ADULT USES																
Adult Gaming Establishments														C	8.53	B
Bars / Tavern											C		P		8.54	A-2
Brewery / Winery									C		P		P	P	8.55	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.56	A-2, A-3
Distillery														P	8.57	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.58	B
Pawn Shop											Z		P	P	8.59	B
Sexually Oriented Business														Z	8.60	A-2, M
Tattoo Parlor, Body Piercing													P		8.61	B

EDUCATIONAL & INSTITUTIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Cemetery or Mausoleum, Commercial			C	C			C		C			P			8.62	n/a
Cemetery, Family	P	P	P	P	P	P	P	P	P						8.63	n/a
Child Care Facility	C	C	C	P		C	C	C	C		C	P	P		8.64	E, I
Child Care Home Facility	C	P	P	P			C	C	P						8.65	E, R
Colleges, Business & Trade Schools									C				P	P	8.66	B
Funeral Home, accessory crematorium											P	P	P	P	8.67	A-3, B
Government Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.68	B
Hospital	P	P	P	P	C	C	P	P	P	P		P	P	P	8.69	I
Museums and Art Galleries									C		P	P	P		8.70	A-3
Religious Institutions	P	P	P	P	P		P	P	P	P	P	P	P		8.71	A-3, E
Security Training Facility									C						8.72	B
Schools, Elementary, Middle, High												P	P		8.73	E

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Accessory, Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.74	A, R
Airport, Public or Private									C					Z	8.75	A-3, B
Airstrip, Small Private									C			P			8.76	B
Assembly Hall						Z			Z		Z		Z	P	8.77	A-4, A-5
Camp or Care Centers									P						8.78	A-3, R-1
Campground, Public and Private									P						8.79	A-3, R-1
Camp, Recreation Day									P						8.80	A-3
Civic / Social Club, Lodge, & Organization			P	P	C	C			C		P	P	P		8.81	A-2, A-3
Golf Driving Range					C	C				P			P		8.82	A-3
Golf Course, including Par 3					C	C				P			P		8.83	U
Marina (fuel supplies)					P	P									8.84	M
Neighborhood Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.85	U
Recreation, Indoor											C	C	P		8.86	A-5
Recreation, Low Impact Outdoor		P P	P	P	P	P	P	P	P		C	P	P		8.87	A-5
Recreation, High Impact Outdoor									Z		Z		P		8.88	
Shooting Range, Indoor									Z				P		8.89	A-5
Shooting Range, Outdoor									Z				P		8.90	A-5
Zoo, Petting Zoo									Z				P		8.91	A-5, U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing, Light (no odors, no smoke)														P	8.92	F
Manufacturing, General														Z	8.93	F-1, F-2
UTILITIES / SERVICES																
Amateur Radio and Receive-only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.94	U
Contractors Storage Yard and Office									Z				P	P	8.95	S-1, U
Crematorium Facility													Z	P	8.96	B
Public & Private Utility Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.97	U
Solar Collector Facility														C	8.98	U
Solar Collectors, On-Site Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.99	U
Wireless Communication Facility									Z				Z	Z	8.100	U
Collocation on Existing WCF	P	P	P	P			P	P	P	P	P	P	P	P	8.101	U

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	P	P	8.102	S
Warehousing and/or Distribution Center									Z				C	P	8.103	S-1, S-2
WASTE RELATED SERVICES																
Debris Management Facility									Z			Z		P	8.104	U
Hazardous Waste /Toxic Chemicals Disposal or Processing														C	8.105	U
Landfill														C	8.106	U
Mining / Quarry Operation									Z					C	8.107	U
Salvage Yard														C	8.108	U

TEMPORARY USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Construction Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.109	S-1
Drop-In Child Care Facility											P	P	P		8.110	
Itinerant Merchant											P	P	P	P	8.111	n/a
Land Clearing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.112	F-1
Manufactured Home or RV, Temporary	P	P	P	P			P	P	P						8.113	R-3
Real Estates Office, Temporary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.114	S-1
Temporary Events (Special Event)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	8.115	n/a
Yard Sales, Residential and Civic	P	P	P	P	P	P	P	P	P			P	P		8.116	n/a

OTHER USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Major Subdivision – Residential (1)	C	C						C							18.6-18.11	Mix
Major Subdivision – Non-Residential (Business Park)													C	C	18.6-18.11	Mix

01659 00023

NORTH CAROLINA

2000 SEP 13 P 2:35

WARRANTY DEED

MOORE COUNTY

MRS. JUDITH M. ADAMS
REGISTER OF DEEDS
MOORE COUNTY, NC

THIS DEED, made and entered into this the 29th day of August, 2000 by and between **Preston D. Williamson and his wife, Mary L. Williamson**, (hereafter "GRANTOR"), - TO - **Audio & Electronic Concepts, Inc.**, (hereafter "GRANTEE");

W I T N E S S E T H :

That the Grantor, in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, has given, granted, bargained, sold and conveyed and by these presents does give, grant, bargain, sell and convey to the Grantee, his heirs, successors and assigns, all of that certain tract or parcel of land situate in Mineral Springs Township, Moore County, North Carolina, more particularly described as follows:

A certain tract or parcel of land in the Murdocksville Community, Mineral Springs Township, Moore County, North Carolina described as follows: Fronting on the east side of the Murdocksville Road, S. R. #1209 and fronting on the south side of Juniper Lake Road, S. R. #1216, beginning at an iron stake in the intersection of the east line of the Murdocksville Road with the south line of Juniper Lake Road, said stake located 30 feet from the center of each road and running as the south line of Road #1216 N 69° 36' 09" E 114.75 feet to an iron stake; thence continuing with the road N 71° 05' 57" E 146.24 feet to an iron stake; thence continuing with the road, a chord of N 79° 50' 31" E 327.95 feet to the intersection of the Juniper Lake Road with an old roadway; thence with and near the old roadway S 03° 28' 57" E through a carport 450.18 feet to a corner with the Jeff Williams 3.22 acre tract in the roadway; thence with the Jeff Williams line S 55° 03' 44" W 525.25 feet to a corner Jeff Williams east line; thence with Jeff' line N 18° 26' 47" W 237.20 feet to an iron stake in Dale Williams south line of his one acre tract as recorded in Book 430, at Page 558; thence S 72° 39' 29" W 162.88 feet to an iron stake in the east right of way line of the Murdocksville Road S. R. #1209; thence with the east line of said road N 17° 28' 21" W 164.66 feet and N 17° 29' 39" N 164.50 feet to the BEGINNING, containing 5.54 acres, more or less and being all of Grantors property as appears of record in Deed Book 430, at Page 555, Deed Book 430, at Page 557 and Deed Book 1459, at Page 17.

This conveyance is subject to: (i) the lien for ad valorem taxes or other assessments for the year of closing or conveyance; and (ii) utility easements of record.

TO HAVE AND TO HOLD the aforesaid described land with all privileges and appurtenances thereunto belonging or in anywise appertaining to the said Grantee, his heirs, successors and assigns, in fee simple forever.

And the said Grantor, for himself and his heirs, successors and assigns, covenants with the said Grantee, his heirs, successors and assigns, that he is seized of the said premises in fee and has the right to convey the same in fee simple; that the same is free and clear from all encumbrances; and that he does hereby forever



MOORE COUNTY NC

09/13/2000
\$42.00

013452

Tax: P.O. Box 3275
Pinehurst, NC 28374

TAX ADDRESS

RECORDING

STAMP

TOTAL

Prepared by: Hurley E. Thompson, Jr.
Carthage, NC 28327

warrant and will forever defend the said title to the same against the claims of all persons whomsoever, except for the exceptions noted herein.

The designation "Grantor" and "Grantee" as used herein shall include the singular as well as the plural and the masculine, feminine or neuter gender may be read in either the masculine, feminine or neuter gender or a combination thereof as the context may require in order to accurately refer to the person or persons first named hereinabove as "Grantor" and "Grantee".

IN WITNESS WHEREOF the said Grantor, has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in the corporate name by its duly authorized officers and its seal or a reasonable facsimile thereof to be hereunto affixed by authority of its duly elected Board of Directors, the day and year first above written.

Preston D. Williamson (SEAL)
Preston D. Williamson

Mary L. Williamson (SEAL)
Mary L. Williamson

STATE OF FLORIDA

COUNTY OF COLLIER

I, Erica Hook, a Notary Public of the County and State aforesaid, certify that Preston D. Williamson and his wife, Mary L. Williamson personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal, this 30 day of August, 2000.

 Erica Lynn Hook
My Commission CC887022
Expires November 11, 2003

[Signature] (SEAL)
NOTARY PUBLIC

My commission expires: 11/11/03.
North Carolina -- Moore County

The foregoing Certificates of Erica Lynn Hook, Notary Public

are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the filing stamp impressed or affixed hereon.

Judith M. Adams
REGISTER OF DEEDS OF MOORE COUNTY

BY: [Signature]
Deputy/ ~~Assistant~~ - Register of Deeds